

WORKS PROGRESS ADMINISTRATION
WALKER-JOHNSON BUILDING
1734 NEW YORK AVENUE NW
WASHINGTON, D.C.

9361

HARRY L. HOPKINS
ADMINISTRATOR

ADMINISTRATIVE ORDER NO. 41
Of The
WORKS PROGRESS ADMINISTRATION

REGULATIONS RELATING TO RATES OF PAY, HOURS OF WORK, MONTHLY
EARNINGS AND CONDITIONS OF EMPLOYMENT

Pursuant to and by virtue of the authority vested in the Works Progress Administration by Executive Order dated June 22, 1936, I hereby issue the following Administrative Order:

Section 1. Definition The term "project" as used herein shall mean projects of the Works Progress Administration which are financed in whole or in part by funds appropriated by the Emergency Relief Appropriation Act of 1936.

Section 2. Rates of Pay It shall be the responsibility of the several State Works Progress Administrators to establish according to occupational titles hourly wage rates (which shall be not less than the prevailing hourly wage rates) for persons employed on projects, and to make such rates effective for all pay roll periods beginning on or after July 1, 1936. Wage rates so established shall not be applicable to persons employed in supervisory and administrative positions and owner-operators of teams, trucks, and equipment.

Section 3. Determining Hourly Wage Rates

(a) The several State Works Progress Administrators should

FROM
UNITED STATES CONFERENCE OF MAYORS
730 JACKSON PLACE
WASHINGTON, D. C.

secure data, as complete as possible, pertaining to hourly wage rates prevailing in the various localities within their states. Data on hourly wage rates may be secured from Federal agencies, state agencies, county agencies, labor groups, trade unions, employers and their organizations, municipal authorities, information published by official and unofficial agencies, records of the Works Progress Administration, and other available sources. Hourly wage rates established for work relief projects of the Federal Emergency Relief Administration conformed in many instances to prevailing wage rates.

(b) The State Administrators shall permit interested parties to present in written form statistical evidence pertaining to prevailing wage rates, and, if feasible, may hold hearings for the purpose of considering such evidence. If hearings are held, a complete stenographic record must be made.

(c) Schedules shall be prepared by counties or other political sub-divisions of appropriate hourly wage rates, hours to be worked, and maximum monthly earnings for each occupational title; such schedules shall be made available to all interested parties, including the Area Statistical Offices.

Section 4. Hours of Work The maximum hours of work for project workers (except supervisory and administrative employees) shall be 8 hours per day, 40 hours per week, and 140 hours per month. Exceptions to the regulation on maximum hours contained in chapter XVI, section 1, of the Handbook of Procedures remain in effect. The hours to be worked at the determined hourly rate by any worker shall be sufficient to total the monthly earnings as prescribed but shall not exceed 140 hours per month.

Section 5. Monthly Earnings

(a) The schedule of monthly earnings established in Executive Order No. 7046, dated May 20, 1935, with adjustments effected by State Administrators and the Federal Works Progress Administration by authority of Administrative Orders as heretofore issued, shall continue in effect and shall be applicable to workers on projects, except supervisory and administrative employees and owner-operators of trucks, teams and equipment. Payments in excess of the schedule of monthly earnings are permitted only when it becomes necessary to allow workers to make up time in the pay roll month succeeding that in which the time is lost as provided in item (b) of this section.

(b) Payment shall be made only for time actually worked, but workers shall be allowed every reasonable opportunity to make up time lost due to weather conditions or temporary interruptions in the operation of projects in order to earn scheduled monthly earnings at the determined hourly wage rate, provided this can be accomplished in the current or succeeding pay roll month.

Section 6. Conditions of Employment

(a) No person under the age of 18 years, and no one whose age or physical condition is such as to make his employment dangerous to his health or safety, or to the health or safety of others may be employed on a work project. This paragraph shall not be construed to operate against the employment of physically handicapped persons otherwise employable, where such persons may be safely assigned to work which they can ably perform. The student aid program of the National Youth Administration is excepted from the age provision of this paragraph.

(b) No person currently serving sentence to a penal or correctional institution shall be employed on any work project.

(c) Preference in employment of workers on projects shall be given to persons certified as in need of relief by a public relief agency approved by the Works Progress Administration, and except with the specific authorization of the Federal Works Progress Administration at least ninety per cent of the workers on a project shall be such persons.

(d) Only one member of a family group may be employed on the Work Program, except as provided in Administrative Order No. 19 applicable to the National Youth Administration.

(e) Except as specifically provided by law and by these regulations, workers who are qualified by training and experience to be assigned to work projects shall not be discriminated against on any grounds whatever, such as race, religion, or political affiliation.

(f) All work projects shall be conducted in accordance with safe working conditions, and every effort shall be made for the prevention of accidents.

(g) Wages to be paid by the Federal Government may not be pledged or assigned, and any purported pledge or assignment shall be null and void.

(h) The State Works Progress Administrators shall not knowingly employ on Works Progress Administration projects aliens illegally within the limits of the Continental United States, and shall make every reasonable effort consistent with prompt employment of the destitute unemployed to see that such aliens are not employed, and that if employed and their status as such alien is disclosed they shall thereupon be discharged.

(i) The fact that a person is entitled to or has received either adjusted-service bonds or a Treasury check in payment of an

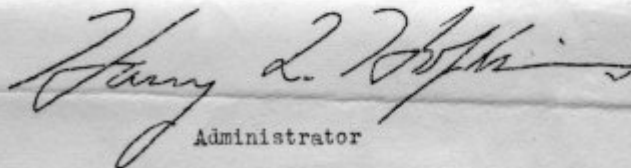
adjusted-compensation certificate shall not be considered in determining actual need of such employment. Public relief agencies approved by the Works Progress Administration to certify to need shall be informed of this provision by the State Works Progress Administrator.

Section 7. Assignment

(a) Classification, assignment, reassignment, reclassification, transfer and termination of employment shall be the responsibility of the State Works Progress Administration. Adequate records shall be maintained as required by the Federal Works Progress Administration.

(b) All workers are expected to maintain active registration with offices designated by the United States Employment Service.

Section 8. Rules and regulations of the Works Progress Administration relating to wages, hours of work, and conditions of employment heretofore issued which are not inconsistent with the provisions of this Order remain in full force and effect.


Administrator

June 22, 1936